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Paper 40
Filed: December 5, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Crucell Holland B.V.,
Junior Party
(Application 10/136,145,
Inventor: Gosse Jan Adema),

v.

United States Of America As Represented By
The Secretary Of The Department Of Health And Human Services,
Senior Party
(Patent 5,844,075
Inventors: Yutaka Kawakami and Steven A. Rosenberg).

Patent Interference 105,588 (RES)
Technology Center 1600

Judgment - Request for Adverse

- 1 PTO records show that Crucell has assigned Application 10/136,145 to
- 2 the Department of Health and Human Services (DHHS). Thus, DHHS is
- 3 now the record owner of that application.

- 4 DHHS has filed a paper titled REQUEST FOR ADVERSE JUDGMENT
- 5 (Paper 36). DHHS “requests entry of adverse judgment against U.S. Patent
- 6 Application No. 10/136,145 with respect to the subject matter of Count
- 7 1” Paper 36, p. 2.

1 Accordingly, it is

2 ORDERED that claims 1, 2 and 7 of Application 10/136,145

3 (corresponding to Count 1) are finally refused (35 U.S.C. 135(a));

4 FURTHER ORDERED that a copy of this judgment be made of

5 record in the files of Patent 5,844,075 and Application 10/136,145; and

6 FURTHER ORDERED that if there is any settlement agreement or

7 related documents which have not been filed, attention is directed to

8 35 U.S.C. § 135(c) and 37 CFR § 41.205.

<u>/Richard E. Schafer/</u>)	
RICHARD E. SCHAFER)	
Administrative Patent Judge)	
)	
<u>/Jameson Lee/</u>)	BOARD OF PATENT
JAMESON LEE)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
)	
<u>/Richard Torczon/</u>)	
RICHARD TORCZON)	
Administrative Patent Judge)	

cc (via electronic filing):

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